

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a right-of-way; that the applicant has represented to the City of Huntsville that the Russell Hill Properties, LLC, is the owner of the property across which said right-of-way lies; that said right-of-way or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the right-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
 :
MADISON COUNTY)

This instrument prepared by:
Benjamin W. Hutton
Bradley Arant Boult Cummings LLP
200 Clinton Avenue West, Suite 900
Huntsville, Alabama 35801
(256) 517-5100

QUITCLAIM DEED FOR VACATION OF RIGHT OF WAY

WHEREAS, the City of Huntsville, Alabama (the "Grantor") has agreed to vacate a publically dedicated right-of-way covering real property as more particularly described on Exhibit A attached hereto (the "Property"), and to convey all of its right, title and interest in and to the Property to **Russell Hill Properties, LLC**, an Alabama limited liability company (the "Grantee").

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, that the Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, does hereby remise, release, and forever quitclaim to the Grantee, all its right, title, interest and claim in and to the Property.

TO HAVE AND TO HOLD the Property unto the Grantee forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on or as of the 11th day of October, 2012.

CITY OF HUNTSVILLE, ALABAMA

By: _____
Tommy Battle, Mayor

Attest: _____
Charles Hagood, Clerk Treasurer

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

Given under my hand and official seal this the _____ day of October, 2012.

Notary Public

[NOTARIAL SEAL]

My commission expires:_____

EXHIBIT A

Property Description

**LEGAL DESCRIPTION
PART OF A 50' RIGHT-OF-WAY INCLUDING CUL-DE-SAC
FOR RUSSELL HILL DRIVE OF
FINAL PLAT OF CCI/MARTIN MEDICAL COMPLEX
A RESUBDIVISION OF A RESUBDIVISION OF CCI MEDICAL CAMPUS**

All that part of Section 3, Township 4 South, Range 1 West, Madison County, Alabama being Twenty-Five (25) feet on both sides of the following centerline and more particularly described as:

Commencing at the centerline intersection of Russell Hill Drive and Markaview Road of the Final Plat of CCI/Martin Medical Complex a Resubdivision of a Resubdivision of CCI Medical Campus as recorded in Document Number 20050630000424610 in the Office of the Judge of the Probate Court of Madison County, Alabama; thence N 89°51'14" E along the centerline of Russell Hill Drive a distance of 50.00 feet to the point of beginning; thence continue N 89°51'14" E along the centerline of Russell Hill Drive a distance of 430.00 feet to the center of the Cul-De-Sac and the end of said centerline. Being Fifty (50) feet in width and including the entire Sixty (60) foot Cul-De-Sac.

Ordinance No. 12-_____ (Cont.)
Russell Hill Properties, LLC

ADOPTED this the 11th day of October, 2012.

President of the City Council
of Huntsville, Alabama

APPROVED this the 11th day of October, 2012.

Mayor of the City of
Huntsville, Alabama